REMARKS

The Office Action of April 26, 2007 and the references cited therein have been carefully considered.

In this Amendment, the specification has been amended to correct noted informalities, including providing section headings for the various parts of the specification. Additionally, the claims have been amended to correct noted informalities and to more clearly and specifically define the invention. More specifically, claim 1 has been amended to include the limitation of claim 2, which has been cancelled, and to more specifically define the location of the damping element according to the invention relative to the heald (heddle) eyelet and the shaft stave (heddle rail), i.e., outside of the eyelet. Independent method claim 15 has likewise been amended to positively require that the damping element be outside of the eyelet. Finally, a new abstract on a separate page has been provided as required by the Examiner.

The Examiner's comments found in the first paragraph on page 2 of the Office action concerning an Information Disclosure Statement filed September 8, 2006 have been noted. However, it is pointed out that Information Disclosure Statement was simply supplemental to the previously filed Information Disclosure Statement (which was considered by the Examiner) and simply supplied copies of the references identified in the earlier Information Disclosure Statement. Thus all prior art identified by applicants has been considered by the Examiner.

The Examiner's objection to the Abstract for the reason that it did not begin on a separate page has likewise been noted. Although it is believed that the originally filed abstract was presented on a separate page, in order to advance the prosecution, a new abstract on a separate page as required by the Examiner has been provided. Accordingly, this objection is clearly not warranted and should be withdrawn.

Reconsideration of the rejection of claims 1 and 3-15 under 35 U.S.C. 102(b) as being anticipated by the patent to Beyaert is respectfully requested. In rejecting the claims, the Examiner essentially has taken the position that the rail 6 of Beyaert corresponds to the claimed frame stave; that the drive surface 16 of Beyaert corresponds to the claimed 'carrier body'; that the inset 35 of Beyaert corresponds to the

claimed 'damping element' and that consequently the invention defined by original claim 1 of the present application is anticipated by the cited reference. Although the Examiner's position is traversed, since the claim recites that the stave is carried by the carrier body so that the surface 16 of Beyaert, which is a surface of the stave or rail of Beyaert, cannot correspond to the claimed carrier body of the shaft rod. Never the less, in order to advance the prosecution of the application, claim 1 has been amended to specifically require that the damping element (12) be located outside of the eyelet of the heald or heddle (8) since the damping element is moveable in the longitudinal direction of the heald or heddle (8) between an outer end surface (22) of the eyelet of the Heald (8) mounted on the stave (6). That is the damping element (12) is mounted on the carrier body (15) of the shaft rod (2) rather than within the eyelet on the stave or rail (6).

While the present application and the Beyaert patent are both directed to inventions for damping the vertical relative movement of the heddles on the shaft using moveable damping elements, the manner of positioning the damping elements is entirely different. According to the Beyaert patent, damping rods or inserts are placed within the heddle eyelets 14, 15. In particular, the damping rods 35,28, 32, 34, 35' or 17 will rest completely within the eyelets on the rails 6 or 7. The only embodiment of the Beyaert patent disclosing damping elements or rods extending outside the eyelet of the heddle is shown in Figs. 8 and 9, wherein the inserts 33 are not within the eyelet. However, they are mounted on the rail and not positioned between the outer end surface of the heddle and a surface of the carrier body as required by claim 1. The damping inserts of Beyaert are always in contact with the rail, whereas the damping elements according to the invention as defined in claim1 are not in contact with or mounted on the rail, but rather are mounted on the carrier body and contact only the carrier body and the outer end surface of the heddle, and does not extend into the eyelet of the heddle. Accordingly, for the above stated reasons, claim 1, and consequently claims 3-14 dependent thereon are allowable over the Beyaert patent under 35 U.S.C. 102(b).

It should further be noted that at least some of the dependent claims contain limitations that are not taught by the Beyaert patent. For example, there is no position of the damping inserts of Beyaert that is remote from the rail as required by claim 4, nor is there any chamber on the body into which the damping element penetrates during its motion away from the rail as required by claim 5. Moreover, there is no interior

deformable hollow space in the damping element of Beyaert as required by claim 10, nor and spring force displaceably supporting the damping element as defined in claim 11.

Independent method claim 15 has been amended so that it likewise requires that the damping element be inserted between an outer end surface of the heald and a surface of the shaft rod. As discussed above, the damping inserts of Beyaert are not associated with any outer end surface of the heddle or heald, but rather are associated with an inner surface of the heddle, i.e., the surface defining the eyelet. Accordingly, it is submitted that claim 15 is allowable over the Beyaert patent under 35 U.S.C 102(b).

In view of the above amendments, and for the above stated reasons, it is submitted that claims 1 and 3-15 are in condition for allowance. Such action and the passing of this application to issue therefore are respectfully requested.

If the Examiner is of the opinion that the prosecution of this application would be advanced by a personal interview, then the Examiner is invited to telephone undersigned counsel to arrange for such an interview.

Respectfully submitted,
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